

Serial Number: 10/709,270
Filed: 4/26/2004

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Remarks

The Examiner rejected claims 1, 3, 5, 7, 8, 9 and 12-15 under 35 U.S.C. 103(a) as unpatentable over *Dagan* in view of *Meltsch*. The Examiner admits that *Dagan* does not disclose "a gasket mounted to each shell along a mating surface between the shells and along the openings" and supplies *Meltsch* therefore. Applicant respectfully submits that *Meltsch* also fails to disclose a gasket mounted to each shell along a mating surface between the shells and along the openings.

In *Meltsch*, there is a sealing insert 11 (figure 4) or 15 (figure 5) for sealing the mating surface between the shells, identified as the separating plane 4 of the housing (col. 3 lns 24-36). However, as plainly shown in figure 1 and explained in detail at column 2, lines 58-65, the sealing plane 4 of *Meltsch*, is clearly distinct from the cable introduction plane 5 or 5.1 where the openings are sealed by an additional/separate plastic sealant or other sealing means (figures 6-10), independent of the "gasket" along the separation plane.

Because *Meltsch* unmistakably applies a "gasket" to the mating surface along each shell that is separate and independent of a second "gasket" applied around the openings, the Examiner's position to the contrary is respectfully traversed. The cited references therefore fail to disclose teach or suggest a gasket mounted to each shell along a mating surface between the shells and along the openings. In fact, both cited references teach directly away from this claim limitation. As each and every element of the claimed invention fails to be disclosed, taught or suggested in the cited references, rejection under 35 U.S.C. 103(a) is improper.

Further, with regard to claims 8 and 14 the Examiner, without detail, indicates that the claimed limitation where a width along a longitudinal axis of the gaskets along the openings is greater at the cable end than at the apparatus end is met by *Dagan* when modified by *Meltsch*. After a careful review of the cited references, Applicant is unable to find any support for the Examiner's

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position and respectfully requests that the Examiner indicate with specificity the basis therefore or withdraw the rejection. The Examiner further suggests that this limitation may not be patentably significant. As described in detail in the specification paragraph 34, this limitation provides a solution for a matter of the invention, an anticipated variance in the surface features of different cables that may be used with the invention versus the standardized characteristics of a connector body. Recognition of this variance and the opportunity for conservation of gasket material this recognition provides is therefore a patentable matter of the invention. Because both cited references are cable junction sleeves/seals with the same sealing requirements (the same cable) at each end, rather than a cable to apparatus junction sealing device as claimed, they cannot be shown to disclose, teach or suggest this limitation.

The Examiner rejected claims 2 and 6 under 35 U.S.C. 103(a) as unpatentable over *Dagan* in view of *Meltsch* and *Strause*. The additional reference, *Strause*, also fails to disclose teach or suggest a gasket mounted to each shell along a mating surface between the shells and along the openings. As each and every element of the claimed invention fails to be disclosed, taught or suggested in the cited references, rejection under 35 U.S.C. 103(a) is improper.

The Examiner rejected claims 10 and 11 under 35 U.S.C. 103(a) as unpatentable over *Dagan* in view of *Meltsch* and *Bukovnik*. The additional reference, *Bukovnik*, also fails to disclose teach or suggest a gasket mounted to each shell along a mating surface between the shells and along the openings. As each and every element of the claimed invention fails to be disclosed, taught or suggested in the cited references, rejection under 35 U.S.C. 103(a) is improper.

The Examiner rejected claim 16 under 35 U.S.C. 103(a) as unpatentable over *Dagan* in view of *Meltsch* and *Fukushima*. The additional reference, *Fukushima*, also fails to disclose teach or suggest a gasket mounted to each shell along a mating surface between the shells and along the

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openings. As each and every element of the claimed invention fails to be disclosed, taught or suggested in the cited references, rejection under 35 U.S.C. 103(a) is improper.

Further, Applicant respectfully submits that *Fukushima* fails to disclose compensation spikes as suggested by the Examiner. As described in specification paragraph 33, compensation spikes may be applied at the junction point between the gaskets and the cable/connector to increase the sealing pressure. The grooved surface of the unitary tubular seal "gasket" identified by the Examiner is not a compensation spike formed protruding from the gasket(s) proximate a contact point between each of the gasket(s) with each other and the cable. Because *Fukushima* is a unitary tubular cable boot, there is no "contact point between each of the gaskets with each other and the cable" according to the claimed limitation. In the cited reference, there is only a single "gasket". Therefore, the cited reference teaches nothing, whatsoever, with respect to improving sealing at the junction between gaskets with each other and the cable.

Applicant notes with appreciation the Examiner's indication that claim 4 would be allowable if rewritten into independent form. However, because claim 4 depends from claim 1 that, as described herein above, is believed to be allowable in its present form, claim 4 should also be allowable as is.

Having obviated each of the Examiners rejections, applicant respectfully requests that a notice of allowance be issued. Should the Examiner be inclined to issue an Official Action other than the notice of allowance, Applicant respectfully requests that the Examiner first contact Applicant by telephone at the number listed below.

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Respectfully submitted,

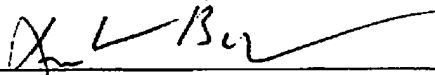


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Andrew D. Babcock